

January 26, 2010

Public Hearing : Zoning Case (Z09-0007)
Owner(s): Robert L. Vaughn

DESCRIPTION:

A request to rezone 2.1± acres on the northwest corner of Parkwood Boulevard and Eubanks Street from Agricultural to Industrial. Neighborhood #21. JE

HISTORY:

Ordinance No. 83-09-02 – City Council adopted the ordinance on September 6, 1983 which annexed and rezoned the property from Agricultural to Light Industrial.

Ordinance No. 93-07-11 – City Council adopted the ordinance on July 20, 1993 which updated the Comprehensive Zoning Ordinance for the City and adopted a new Zoning Map. The property on the northwest corner of Parkwood Boulevard and Eubanks Street was shown as Agricultural on that zoning map.

CASE OVERVIEW

The applicant is requesting to rezone his property from Agricultural back to Industrial (the Light Industrial Zoning designation no longer exists). The surrounding land uses are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Vacant land	Industrial	Office
East	Single Family Residential	Residential	Public Use
South	Industrial	Industrial	Office
West	Industrial	Industrial	Office

The property owner, Mr. Robert Vaughn, has requested a rezoning on his property at 6958 Eubanks Street to operate Indoor Batting Cages. He indicated that a Wood Shop had been in operation on his property for over 20 years in the warehouse located on the western portion of the property (see attached aerial map). His residence is on the eastern portion of the property, facing Parkwood Boulevard.

When Mr. Vaughn inquired about the possibility of operating Indoor Batting Cages, staff determined that the use was not allowed as the property was zoned Agricultural. Mr. Vaughn presented staff with Ordinance No. 83-09-02 which annexed and rezoned the property to Light Industrial. Staff found that with the passage of Ordinance 93-07-11, which updated the Comprehensive Zoning Ordinance and established a new zoning map, this property was rezoned back to Agricultural. Staff researched why this property would have been rezoned back to Agricultural but did not find a reason. It is possible that an error was made, but we cannot confirm as we do not have sufficient data to support this and the staff members from 1993 are no longer with the City. Staff is processing this case at no charge to the property owner.

Staff is in support of rezoning back Mr. Vaughn's property back to Industrial. The property is surrounded by Industrial zoning and industrial uses.

As of writing of this staff report, staff has received three calls from neighbors located within 200 feet of the property. One neighbor was in support of the zoning request. The property owners located on the northeast corner of Hickory and 5th Street (see attached exhibit) were not in support of the request to rezone the property to Industrial due to the potential uses that can be allowed under that zoning designation. They both expressed that they would not mind the use of Indoor Batting Cages and inquired about the possibility of using a less intense zoning category.

THE 2006 COMPREHENSIVE PLAN:

Future Land Use Plan – The Future Land Use Plan (FLUP) designates Office uses for the property. However, the Industrial zoning designation is a continuation of the zoning and uses surrounding the property.

Environmental Considerations -- The City's environmental analyses contained within the Comprehensive Plan do not identify floodplain and wetlands, significant slopes, unsuitable soils, and sensitive habitats on the property.

Access – Access to the development will be provided from Parkwood Boulevard and Eubanks Street.

Water and Sanitary Sewer Services – Utilities are available to the site.

Schools – This property is located in the Frisco Independent School District. Frisco Independent School District has not indicated an immediate need for a school in this area.

Parks, Recreation & Open Space Master Plan – The Hike & Bike Trail Master Plan shows an on-street parallel trail along Parkwood Boulevard.

RECOMMENDATION:

Recommended for approval as Industrial.